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OFFICE OF PETITIONS
Decision on Petition

In re Application of Petros :
Application No. 10/709,511 :
Filing Date: May 11, 2004 :
For: Antenna With Parasitic Wings :

This is a decision on the petition filed October 9, 2006, under 37 CFR 1.181 to withdraw the holding of abandonment of the application, or in the alternative, under 37 CFR 1.137(b) to revive the application.

The petition under 37 CFR 1.181 is **dismissed**.

The petition under 37 CFR 1.137(b) is **dismissed**.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed November 28, 2005, which set a shortened statutory period for reply of three (3) months. An extension of time under the provisions of 37 CFR 1.136(a) was not obtained. Accordingly, the above-identified application became abandoned on March 1, 2006. A Notice of Abandonment was mailed on June 21, 2006.

Petitioner contends the final Office action was never received.

A petition to withdraw the holding of abandonment based on non-receipt of a Notice must prove that the Notice was not received at the address of record. If an Office action is not received due to a failure by an applicant to properly change the address of record, then the holding of abandonment will not be withdrawn.

A grantable petition under 37 CFR 1.137(b) must be accompanied by the required reply. The examiner has reviewed the amendment filed with the petition and determined the petition is not a proper reply to the final Office action mailed November 28, 2005. The examiner has determined the newly claimed subject matter contains issues neither considered nor addressed previously and therefore would require an additional search and further consideration. For example, the added language of etched on a flexible substrate, permanently fixed, closed loop and a multifilar helix (in various embodiments in some independent claims) was neither addressed nor considered at the time the Office mailed the final Office action.

A proper reply must be filed in order for the application to be revived. Petitioner may wish to file a Request for Continued Examination (RCE).

There is no indication that the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute the above-identified application. If the person signing the instant petition desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted along with a request to change the address of record. While a courtesy copy of this decision is being mailed to the person signing the instant petition, all future correspondence will be directed solely to the address currently of record until such time as appropriate instructions are received to the contrary.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. No further petition fee is required for the request. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)."


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
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Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.



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